

**IN THE COURT OF APPEALS
FIRST APPELLATE DISTRICT OF OHIO
HAMILTON COUNTY, OHIO**

STATE OF OHIO,	:	APPEAL NO. C-170486
	:	TRIAL NO. B-1304778
Plaintiff-Appellee,	:	
	:	<i>JUDGMENT ENTRY.</i>
vs.	:	
RAY COBIA,	:	
	:	
Defendant-Appellant.	:	

We consider this appeal on the accelerated calendar, and this judgment entry is not an opinion of the court. *See* Rep.Op.R. 3.1; App.R. 11.1(E); 1st Dist. Loc.R. 11.1.1.

In 2004, defendant-appellant Ray Cobia pleaded guilty to sexual battery and impersonating a police officer. He was classified as a sexually oriented offender under Megan’s Law, which required him to register annually for ten years after his release from prison. He did not appeal his convictions. In 2008, he was released from prison, and he began registering.

In 2013, Cobia was convicted of sexual battery, impersonating a police officer, and child enticement. He was returned to prison on those convictions. This court reversed those convictions and discharged Cobia on the child-enticement charge in January of 2015. Upon remand, the other charges were dismissed for want of prosecution in October 2015.

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On December 9, 2015, in the 2004 case, Cobia made a motion for credit against his reporting requirement for the two years that he had been in prison on the 2013 convictions that had been reversed. He argued that the statutory tolling provision for registration requirements while the offender is imprisoned should not apply in his case because the convictions had been reversed. The trial court overruled the motion. This court dismissed his appeal, holding that neither the trial court nor this court had jurisdiction to entertain the motion. *State v. Cobia*, 1st Dist. Hamilton No. C-160256, 2016-Ohio-7213.

On June 27, 2017, in the 2013 case, Cobia filed a motion for credit against his reporting period, again arguing that the tolling provision should not be applied in his case. The trial court determined that it did not have jurisdiction to entertain the motion. Cobia has appealed the trial court's judgment.

For the reasons set forth in our 2016 opinion in Cobia's appeal from the overruling of his 2015 motion, we hold that the trial court did not, nor does this court, have jurisdiction to entertain Cobia's 2017 motion. Therefore, this appeal is dismissed.

Further, a certified copy of this judgment entry shall constitute the mandate, which shall be sent to the trial court under App.R. 27. Costs shall be taxed under App.R. 24.

MOCK, P.J., ZAYAS and DETERS, JJ.

To the clerk:

Enter upon the journal of the court on June 20, 2018
per order of the court _____.
Presiding Judge